

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

**SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING
MATTER: *Londan Davis v. City of Homestead, Neftali Baez, The
School Board of Miami-Dade County, Florida, Riverwalk I
Preservation, L.P., Autonation, Inc., d/b/a Maroone Nissan of Kendall
and Carmax Auto Superstores, Inc., d/b/a Carmax Service Center,
Case No 13-16230 CA 15***

This lawsuit was originally served on the School Board on March 7, 2013. On March 21, 2014, the School Board Attorney's office filed a Motion to Dismiss Plaintiff's Complaint against the School Board and bus driver, Neftali Baez. As a result, the Court dismissed the School Board from the Complaint, but did not dismiss bus driver, Neftali Baez. In Plaintiff's Complaint against the bus driver, Plaintiff alleges, among other things, that Mr. Baez failed to give Plaintiff and her brother proper instructions for riding the bus.

In accordance with the District's established practice, Mr. Baez has formally requested that the School Board provide him with legal representation. The acts alleged in Plaintiff's Complaint arose out of and in the course of the performance of the employee's assigned duties and responsibilities.

Pursuant to School Board Policy 6900, *Legal Services for Employees of the Board* and § 1012.26 Fla. Stat. (2014), we are requesting that the School Board authorize the provision of legal representation for Neftali Baez in the above-captioned lawsuit. In the interim, the Board Attorney's office will be filing the necessary documents with the Court to protect the individually-named Defendant's legal interests.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the office of the School Board Attorney to provide or secure legal representation for the legal defense of bus driver, Neftali Baez in the case known as *Londan Davis v. City of Homestead, Neftali Baez, The School Board of Miami-Dade County, Florida, Riverwalk I Preservation, L.P., Autonation, Inc., d/b/a Maroone Nissan of Kendall and Carmax Auto Superstores, Inc., d/b/a Carmax Service Center, Case No 13-16230 CA 15.*